

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA**

LOUIS R. LAWSON,)	
)	
Petitioner,)	
)	
v.)	CAUSE NO. 3:07-CV-0178 TLS
)	
WILLIAM WILSON,)	
)	
Respondent.)	

OPINION AND ORDER

Petitioner Louis Lawson filed a petition for writ of habeas corpus under 28 U.S.C. § 2254, challenging the judgment of conviction entered against him on May 16, 2005, by the Allen Superior Court, for forgery and being an habitual offender. Pursuant to Rule 4 of the Rules Governing Section 2254 Cases, district courts are obligated to review a habeas corpus petition and to dismiss it if “it plainly appears from the petition and any attached exhibits that the petitioner is not entitled to relief . . .”*Id.* This rule provides district courts with a gatekeeping responsibility to sift through habeas corpus petitions and dismiss those petitions which obviously lack merit.

Section § 2254(a) provides that federal courts “shall entertain an application for writ of habeas corpus in behalf of a person in custody pursuant to the judgment of a State court only on the ground that he is in custody in violation of the Constitution or laws or treaties of the United States.” Relief in this action is only available from violation of the federal Constitution or laws. *Estelle v. McGuire*, 502 U.S. 62 (1991). State law questions do not state a claim for habeas relief. *Kraushaar v. Flanigan*, 45 F.3d. 1040 (7th Cir. 1995); *Hester v. McBride*, 966 F. Supp. 765 (N.D. Ind. 1997).

The only ground raised in Mr. Lawson’s petition is that his “conviction and sentence for the habitual offender is contrary to *Indiana Code Section 35-50-2-8(d)(3)*. Thus, rendering the habitual offender finding invalid.” (Petition at p.4) (Emphasis in original). Because Mr. Lawson asserts only that his sentencing was contrary to state law, he states no claim upon which this court may grant

relief pursuant to § 2254(a). His request for a writ of habeas corpus must, therefore, be dismissed on its face based on Rule 4 of the Rules Governing Section 2254 Cases in the United States District Court.

Accordingly, for the reasons stated in this order, the court DISMISSES this petition pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Court.

SO ORDERED on June 4, 2007.

/s/ Theresa L. Springmann
THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT